

REMARKS

Claims 30 and 31 have been amended to change their dependency from claim 24 to claim 25.

Entry of the above amendment is respectfully requested.

Information Disclosure Statement

Applicants are submitting concurrently herewith an Information Disclosure Statement (PTO/SB/08a form) listing the references disclosed in the application but not already cited by the Examiner, as well as other references, together with the \$180 fee for the Information Disclosure Statement. Applicants respectfully request that the Examiner consider the disclosed information and return an initialed copy of the PTO/SB/08a form with the next communication from the PTO.

Obviousness Rejections

On page 2 of the Office Action, in paragraph 4, claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joshi (4,017,574). Also, on page 3 of the Office Action, claims 1 and 21-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenberg et al (6,673,756).

The Examiner's Position

The Examiner's basic position is that Joshi discloses a process for making a multicolored soap bar of a variety of colors and Sonnenberg et al disclose a multiphase

AMENDMENT UNDER 37 C.F.R. 1.111
USAN 10/787,142

soap comprising two or more phases comprising different dyes. While the references do not teach each of the colors in specific layers, the Examiner indicates that it would have been obvious to disperse the various colors in specific layers as claimed because it has been held that matters relating to ornamentation or aesthetic design changes which have no mechanical function cannot be relied upon to patentably distinguish the claimed invention from the prior art.

Applicants' Response

Applicants respectfully submit that the cited references neither teach nor suggest the present invention, and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

Initially, Applicants submit that the present invention does not relate to ornamentation or aesthetic design changes. Rather, Applicants submit that the specific layers of colors in the present invention have a particular function, namely, to motivate children to wash their hands adequately. Presently, children often do not wash their hands long enough to reduce the incidence of illness. With the present invention, children will be motivated to wash their hands for a sufficient amount of time because they will want to wash away one colored layer to see the next colored layer. Thus, Applicants submit that the present invention is functional, not ornamental or aesthetic in nature, and that it is not taught or suggested by the art.

For example, in regard to the embodiment of, e.g., claim 2, the cleansing bar comprising a plurality of layers has an outside layer, such that the bar has only one color on the outside (see Figs. 1 and 2 for an illustration of this embodiment). Prior to use, the

AMENDMENT UNDER 37 C.F.R. 1.111
USAN 10/787,142

cleansing bar of this embodiment looks like an ordinary cleansing bar on the outside, and thus should not be considered ornamental or aesthetic. The cleansing bar of this embodiment differs from any other cleansing bar, including the bars in the cited art, in the particular structure of its interior, which is what would motivate children to wash their hands for a sufficient amount of time (so that the interior would be revealed).

As to method claims 24-33, Applicants respectfully submit that the cited art neither teaches nor suggests a method for improving a child's hygiene wherein a child is motivated to wash or bathe with a multicolored cleansing bar in order to see the appearance of the cleansing bar change. Applicants submit that such is particularly the case with claim 25, where a child is motivated to wash or bathe with the multicolored cleansing bar in order to see the cleansing bar change colors from one layer to the next.

Thus, Applicants submit that the present invention is not obvious over the cited references, and withdrawal of this rejection is respectfully requested.

Conclusion

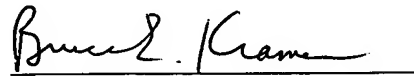
For at least the above reasons, Applicants submit that the present invention is now in condition for allowance.

If the Examiner wishes to discuss this application with the undersigned, he is requested to contact the undersigned at the local telephone number listed below.

AMENDMENT UNDER 37 C.F.R. 1.111
USAN 10/787,142

In view of the above, allowance of this application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bruce E. Kramer", is written over a horizontal line.

Bruce E. Kramer
Registration No. 33,725

9112 Cherbourg Drive
Potomac, MD 20854
(301) 299-8843
Date: January 24, 2005